

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:12-cr-22

v.

HON. ROBERT HOLMES BELL

JOSE SAMUEL CRUZ-SALAZAR,

Defendant.

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REPORT AND RECOMMENDATION

Pursuant to W.D. MICH. L.C.R.R. 11.1, I conducted a plea hearing in the captioned case on September 5, 2012, after receiving the oral consent of defendant and all counsel. At the hearing, defendant JOSE SAMUEL CRUZ-SALAZAR entered a plea of guilty to Count One of the Indictment, charging defendant with Use of False Identification Document, in violation of 18 U.S.C. § 1546(b), in exchange for the undertakings orally made by the government. On the basis of the record made at the hearing, I find that defendant is fully capable and competent to enter an informed plea; that the plea is made knowingly and with full understanding of each of the rights waived by defendant; that it is made voluntarily and free from any force, threats, or promises, that the defendant understands the nature of the charge and penalties provided by law; and that the plea has a sufficient basis in fact.

I therefore recommend that defendant's plea of guilty to Count One of the Indictment be accepted and that the court adjudicate defendant guilty. It is further recommended that defendant

remain detained pending sentencing. Acceptance of the plea, adjudication of guilt, determination of defendant's status pending sentencing, and imposition of sentence are specifically reserved for the district judge.

Date: September 5, 2012

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
United States Magistrate Judge

NOTICE TO PARTIES

You have the right to de novo review of the foregoing findings by the district judge. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than fourteen days after the plea hearing. *See* W.D. MICH. L.CR.R. 11.1(d).